

OFFICE OF THE STANDING CHAPTER 13 TRUSTEE
6851 N.E. Loop 820, Suite 300
North Richland Hills, TX 76180-6608
(817) 770-8500
(817) 498-1362 FAX

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

IN RE:

IZISHILL BOLDON JR, xxx-xx-4333
LATANYA ACY BOLDON, xxx-xx-9495
Debtors

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Case No: 15-43536-MXM

Prehearing Conference: May 27, 2016
@ 10:00 AM

NOTICE OF PRE-HEARING CONFERENCE AND
HEARING ON "TRUSTEE'S RECOMMENDATION CONCERNING
OBJECTION TO CLAIMS, AND PLAN MODIFICATION"

TO ALL PARTIES IN INTEREST:

A **Pre-Hearing Conference** with the Chapter 13 Trustee concerning the attached Trustee's Recommendation Concerning Claims, Objection to Claims, and Plan Modification ("TRCC") will be held at **10:00 AM** on **May 27, 2016** at 6851 N.E. Loop 820, Suite 310, N. Richland Hills, TX 76180.

If any objections to the Pleadings are not resolved or defaulted at the Trustee's Pre-hearing Conference then this matter will be called at the docket call to be held at **8:30 AM** on **June 16, 2016** at 128 U.S. Courthouse, 10th and Lamar Streets, Fort Worth, TX., with the **Court Hearing** on the matter immediately following the conclusion of the docket call.

Pursuant to General Order 2014-03 Section 8(c), unless an objection is timely filed as to the amount or classification of any claim or modification, the claim or modification will be allowed or approved as described in the TRCC and such amount and classification will be final and binding on all parties, unless Section 502j of the Bankruptcy Code applies.

TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, FILED WITH THE COURT, AND A COPY SERVED ON THE FOLLOWING PARTIES WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE HEREOF, OR May 27, 2016.

DEBTOR(S): IZISHILL BOLDON JR & LATANYA ACY BOLDON, 5612 BAY CLUB DRIVE, ARLINGTON, TX 76013
ATTORNEY: LEINART LAW FIRM, 11520 N CENTRAL EXPWY STE 212, DALLAS, TX 75243
COURT: Clerk's Office, US Bankruptcy Court, 128 U.S. Courthouse, 10th and Lamar Streets, Ft. Worth, TX 76102
TRUSTEE: TRUSTEE'S OFFICE, 6851 N.E. Loop 820, Suite 300, North Richland Hills, TX 76180-6608

/s/ Tim Truman

Tim Truman, Trustee/State Bar # 20258000

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Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing "Notice of Pre-Hearing Conference and Hearing on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification " and a copy of the attached "Trustee's Recommendation Concerning Claims, Objection to Claims, and Plan Modification" was served on the parties listed below in the manner listed below on or before April 27, 2016.

/s/ Tim Truman

BY FIRST CLASS MAIL:

AMERICAN INFOSOURCE LP, Attn: Officer/President, PO BOX 248838, OKLAHOMA CITY, OK 73124
ARLINGTON MEMORIAL HOSPITAL, Attn: Officer/President, 800 W RANDOL MILL RD, ARLINGTON, TX 76012-0000
AT AND T WIRELESS, Attn: Officer/President, PO BOX 537104, ATLANTA, GA 30353
ATTORNEY GENERAL OF TEXAS, Attn: Officer/President, COLLECTIONS DIV/BANKRUPTCY SEC, PO BOX 12548, AUSTIN, TX 78711
BANK OF AMERICA, Attn: Officer/President, PO BOX 15102, WILMINGTON, DE 19886
BANK OF AMERICA, Attn: Officer/President, PO BOX 31785, TAMPA, FL 33631-0000
BANK OF AMERICA, Attn: Officer/President, PO BOX 982235, EL PASO, TX 79998
BANK OF AMERICA, Attn: Officer/President, PO BOX 982284, EL PASO, TX 79998-0000
BANK OF AMERICA NA, Attn: Officer/President, ATTN BANKRUPTCY DEPT, PO BOX 660933, DALLAS, TX 75266
BARRETT DAFFIN FRAPPIER TURNER AND ENGLE LLP, Attn: Officer/President, 15000 SURVEYOR BLVD STE 100, ADDISON, TX 75001-0000
BAY CLUB HOA, Attn: Officer/President, 2114 BAY CLUB DR, ARLINGTON, TX 79016-0000
BAY CLUB HOA, Attn: Officer/President, PO BOX 14025, ARLINGTON, TX 76094-0000
CAPITAL ONE, Attn: Officer/President, PO BOX 30253, SALT LAKE CITY, UT 84130
CERASTES LLC, Attn: Officer/President, C/O WEISTEIN AND RILEY PS, 2001 WESTERN AVE STE 400, SEATTLE, WA 98121-0000
CERASTES LLC, Attn: Officer/President, C/O WEISTEIN AND RILEY PS, PO BOX 3978, SEATTLE, WA 98124
COMENITY BANK/BRYLNHME, Attn: Officer/President, PO BOX 182789, COLUMBUS, OH 43218-0000
COMENITY BANK/CHADWICKS, Attn: Officer/President, PO BOX 182686, COLUMBUS, OH 43218-0000
COMENITY BANK/METRO, Attn: Officer/President, PO BOX 182125, COLUMBUS, OH 43218-0000
CREDIT ONE, Attn: Officer/President, PO BOX 98873, LAS VEGAS, NV 89193-0000
DALLAS TELCO FED CR UN, Attn: Officer/President, 5429 LYNDON B JOHNSON FRWY #60, DALLAS, TX 75240-0000
ECAST SETTLEMENT CORP, Attn: Officer/President, PO BOX 29262, NEW YORK, NY 10087
FIRST CREDIT SERVICE, Attn: Officer/President, 371 HOES LN, PISCATAWAY, NJ 08854-0000
INTERNAL REVENUE SERVICE, Attn: Officer/President, PO BOX 7317, PHILADELPHIA, PA 19101
INTERNAL REVENUE SERVICE, Attn: Officer/President, PO BOX 7346, PHILADELPHIA, PA 19101
IZISHILL BOLDON JR, LATANYA ACY BOLDON, Attn: Officer/President, 5612 BAY CLUB DRIVE, ARLINGTON, TX 76013-0000
LINEBARGER GOGGAN BLAIR & SAMPSON LLP, Attn: Officer/President, 2777 N STEMMONS FWY #1000, DALLAS, TX 75207-0000
LINEBARGER GOGGAN BLAIR ET AL, Attn: Officer/President, 100 THROCKMORTON STE #300, FT WORTH, TX 76102-0000
MB FINANCIAL SERVICES, Attn: Officer/President, 36455 CORPORATE DR, FARMINGTON HILLS, MI 48331-0000
MERRICK BANK, Attn: Officer/President, C/O RESURGENT CAPITAL SERVICES, PO BOX 10368, GREENVILLE, SC 29603
MERRICK BANK, Attn: Officer/President, PO BOX 9201, OLD BETHPAGE, NY 11804
MIDLAND FUNDING LLC, Attn: Officer/President, MIDLAND CREDIT MANAGEMENT INC, PO BOX 2011, WARREN, MI 48090-0000
MIDLAND MORTGAGE COMPANY/MID FIRST BANK, Attn: Officer/President, PO BOX 26648, OKLAHOMA CITY, OK 73216-0000
NEWPORT NEWS, Attn: Officer/President, PO BOX 182125, COLUMBUS, OH 43218-0000
NTTA, Attn: Officer/President, PO BOX 660244, DALLAS, TX 75266-0000
PORTFOLIO RECOVERY ASSOC, Attn: Officer/President, PO BOX 41067, NORFOLK, VA 23541-0000
PORTFOLIO RECOVERY ASSOC LLC, Attn: Officer/President, 287 INDEPENDENCE BLVD #340, VIRGINIA BEACH, VA 23462-0000
PORTFOLIO RECOVERY ASSOCIATES, Attn: Officer/President, PO BOX 12914, NORFOLK, VA 23541-0000
PREMIER BANKCARD, Attn: Officer/President, JEFFERSON CAPITAL SYSTEMS, PO BOX 7999, SAINT CLOUD, MN 56302-0000
PREMIER BANKCARD, Attn: Officer/President, JEFFERSON CAPITAL SYSTEMS, PO BOX 953185, ST LOUIS, MO 63195-0000

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Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification

BY FIRST CLASS MAIL:

(cont'd.)

RON WRIGHT TAX ASSESSOR/COLLECTOR, Attn: Officer/President, 100 E WEATHERFORD ST, FT WORTH, TX 76196

SANTANDER CONSUMER USA, Attn: Officer/President, PO BOX 961245, FORT WORTH, TX 76161

SELECT CARD, Attn: Officer/President, 5050 KINGSLEY DR, CINCINNATI, OH 45227-0000

SELECT CARD/5TH3RD, Attn: Officer/President, PO BOX 495933, CINCINNATI, OH 45249-0000

SYNCB/SAMS CLUB, Attn: Officer/President, PO BOX 965005, ORLANDO, FL 32896-0000

TARRANT COUNTY TAX COLLECTOR, Attn: Officer/President, DELINQUENT TAX DEPARTMENT, 100 E WEATHERFORD ST, FORT WOR

TEXAS ALCOHOLIC BEVERAGE COMM, Attn: Officer/President, LICENSES AND PERMITS DIVISION, PO BOX 13127, AUSTIN, TX 78711

TEXAS COMPTROLLER PUBLIC ACCTS, Attn: Officer/President, REVENUE ACCOUNTING DIV/BANKRUP, PO BOX 13528, AUSTIN, TX 787

TEXAS WORKFORCE COMMISSION, Attn: Officer/President, TAX DEPT COLLECTION FKA TEC, BANKRUPTCY ROOM 556-A, AUSTIN, TX

TRANSWORLD SYSTEMS, Attn: Officer/President, 507 PRUDENTIAL RD, HORSHAM, PA 19044-0000

TXU ENERGY, Attn: Officer/President, PO BOX 650393, DALLAS, TX 75265-0000

UNITED STATES ATTORNEY, Attn: Officer/President, 1100 COMMERCE ST STE 300, DALLAS, TX 75242

USDEPARTMENT OF EDUCATION, Attn: Officer/President, PO BOX 530229, ATLANTA, GA 30353

USDEPT OF EDUCATION, Attn: Officer/President, PO BOX 8973, MADISON, WI 53708

WELLS FARGO, Attn: Officer/President, BK PMT PROC MAC #X2302 04C, ONE HOME CAMPUS, DES MOINES, IA 50328-0000

WELLS FARGO BANK NA, Attn: Officer/President, ATTN BK DEPT MAC #D3347-014, 3476 STATEVIEW BLVD, FORT MILL, SC 29715-0000

WELLS FARGO BANK NA, Attn: Officer/President, PO BOX 19657, IRVINE, CA 92623

WELLS FARGO BANK NA, Attn: Officer/President, WELLS FARGO DEALER SERVICES, PO BOX 17900, DENVER, CO 80217-0000

ELECTRONIC SERVICE:

LEINART LAW FIRM, 11520 N CENTRAL EXPWY STE 212, DALLAS, TX 75243

BARRETT DAFFIN FRAPPIER TURNER AND ENGLE LLP, 15000 SURVEYOR BLVD STE 100, ADDISON, TX 75001

LINEBARGER GOGGAN BLAIR & SAMPSON LLP, 2777 N STEMMONS FWY #1000, DALLAS, TX 75207

PERDUE BRANDON FIELDER COLLINS AND MOTT, 500 E BORDER ST #640, ARLINGTON, TX 76010

United States Trustee, 1100 COMMERCE STREET, ROOM 976, DALLAS, TX 75242

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**IN THE UNITED STATES BANKRUPTCY COURT
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IN RE:
IZISHILL BOLDON JR, xxx-xx-4333
LATANYA ACY BOLDON, xxx-xx-9495
5612 BAY CLUB DRIVE
ARLINGTON, TX 76013
Debtors

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Case No: 15-43536-MXM**Chapter 13**

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO
CLAIMS AND PLAN MODIFICATION**

The Trustee hereby objects to and/or recommends allowance or disallowance of the following claims for the reason(s) indicated, pursuant to Bankruptcy Rule 3007:

CLAIMANTS RECEIVING THIS OBJECTION SHOULD LOCATE THEIR NAMES AND CLAIMS HEREIN.

I.

OBJECTION - NO PROOF OF CLAIM FILED

The following creditors were scheduled by the Debtors. No Proof of Claim has been filed by them or on their behalf as required by Bankruptcy Rule 3002(a). The "bar date" for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED, and not be paid by the Trustee:

<u>TEE#</u>	<u>CREDITOR'S NAME</u>	<u>SCHED CLASS</u>	<u>SCHED AMOUNT</u>
11	ARLINGTON MEMORIAL HOSPITAL	UNSECURED	\$300.00
48	AT AND T WIRELESS	EXECUTORY CONTRACT/UNEXP LEASE	\$0.00
14	BANK OF AMERICA	UNSECURED	\$0.00
12	BARRETT DAFFIN FRAPPIER TURNER AND ENGLE LLP	UNSECURED	\$0.00
15	CAPITAL ONE	UNSECURED	\$0.00
16	CAPITAL ONE	UNSECURED	\$0.00
20	COMENITY BANK/BRYLNHME	UNSECURED	\$0.00
21	COMENITY BANK/CHADWICKS	UNSECURED	\$0.00
22	COMENITY BANK/METRO	UNSECURED	\$0.00
24	CREDIT ONE	UNSECURED	\$0.00
25	DALLAS TELCO FED CR UN	UNSECURED	\$19.00
26	DALLAS TELCO FED CR UN	UNSECURED	\$0.00
27	DALLAS TELCO FED CR UN	UNSECURED	\$0.00
10	FIRST CREDIT SERVICE	UNSECURED	\$116.00
29	LINEBARGER GOGGAN BLAIR & SAMPSON LLP	UNSECURED	\$0.00
30	MB FINANCIAL SERVICES	UNSECURED	\$0.00
32	MERRICK BANK	UNSECURED	\$0.00
33	MIDLAND MORTGAGE COMPANY/MID FIRST BANK	UNSECURED	\$0.00
34	NEWPORT NEWS	UNSECURED	\$0.00
35	NTTA	UNSECURED	\$400.96
36	PORTFOLIO RECOVERY ASSOC LLC	UNSECURED	\$2,437.00
37	PORTFOLIO RECOVERY ASSOC LLC	UNSECURED	\$533.00
38	SANTANDER CONSUMER USA	UNSECURED	\$0.00
39	SELECT CARD	UNSECURED	\$3,245.00
40	SELECT CARD/STH3RD	UNSECURED	\$0.00
42	SYNCB/SAMS CLUB	UNSECURED	\$0.00
43	TRANSWORLD SYSTEMS	UNSECURED	\$1,487.00
44	TXU ENERGY	UNSECURED	\$1,172.00
45	TXU ENERGY	UNSECURED	\$0.00
46	TXU ENERGY	UNSECURED	\$242.00

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II.**SPECIFIC OBJECTIONS**

*** NONE ***

III.**TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS**

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount(s) and in the class(es) as listed below: (NOTE: Value, treatment and interest rate were determined at confirmation. "Value", "Interest Rate", and "Treatment" are shown below for information only.)

<u>CLAIM #</u>	<u>SECURED 1325(a)(9) CLASS</u>		<u>CLAIM AMOUNT</u>		<u>INTEREST RATE</u>	<u>TREATMENT</u>
5	WELLS FARGO BANK NA		\$767.89		5.00%	PRO RATA-TR
<u>CLAIM #</u>	<u>SECURED 1325(a)(5) CLASS</u>	<u>COLLATERAL</u>	<u>CLAIM AMOUNT</u>	<u>VALUE</u>	<u>INTEREST RATE</u>	<u>TREATMENT</u>
11	BANK OF AMERICA NA	4107 BENT OAKS DR	\$102,641.14	\$133,900.00		DIRECT-DR
3	TARRANT COUNTY TAX COLLECT	HOMESTEAD/15	\$9,114.14	\$376,310.00		DIRECT-DR
3	TARRANT COUNTY TAX COLLECT	4107 BENT OAKS/15	\$3,717.22	\$133,900.00		DIRECT-DR
3	TARRANT COUNTY TAX COLLECT	2813 CRENSHAW AVE/13-15	\$6,229.78	\$76,100.00	12.00%	PRO RATA-TR
9	WELLS FARGO	HOMESTEAD/ARRS	\$21,142.62	\$398,500.00	0.00%	PRO RATA-TR
9	WELLS FARGO	HOMESTEAD	\$72,983.73	\$398,500.00		DIRECT-DR
3	TARRANT COUNTY TAX COLLECT	MINERAL INTERESTS/14-15	\$32.71	\$2,420.00		DIRECT-DR
4	RON WRIGHT TAX ASSESSOR/COLLE	901/MINERAL INT/15	\$34.85	\$2,420.00		DIRECT-DR
6	INTERNAL REVENUE SERVICE	REAL/PERS PROP	\$35,300.33	\$35,300.33	3.00%	PER MO-TR
11	BANK OF AMERICA NA	4107 BENT OAKS/ARRS	\$3,920.52	\$133,900.00		NO PROVISION
9	WELLS FARGO	HOME/ARRS/POST/11/15-3/1	\$6,326.00	\$398,500.00		NO PROVISION
<u>CLAIM #</u>	<u>PRIORITY CLASS</u>		<u>CLAIM AMOUNT</u>			<u>TREATMENT</u>
6	INTERNAL REVENUE SERVICE		\$450.11			PRO RATA-TR
<u>CLAIM #</u>	<u>UNSECURED CLASS</u>		<u>CLAIM AMOUNT</u>			<u>COMMENT</u>
18	BAY CLUB HOA		\$3,429.69			HOME/HOA DUES
12	BANK OF AMERICA		\$2,664.06			
10	PORTFOLIO RECOVERY ASSOCIATE		\$533.33			CAPITAL ONE
15	PORTFOLIO RECOVERY ASSOCIATE		\$2,437.45			CAPITAL ONE
8	ECAST SETTLEMENT CORP		\$5,967.51			CITIBANK
13	MIDLAND FUNDING LLC		\$816.50			CREDIT ONE
14	PREMIER BANKCARD		\$442.68			FIRST PREMIER
2	MERRICK BANK		\$877.43			
16	CERASTES LLC		\$1,033.02			PORANIA/CARE CREDIT
7	US DEPARTMENT OF EDUCATION		\$4,744.52			STUDENT LOAN
1	AMERICAN INFOSOURCE LP		\$1,487.99			TX HEALTH/ARLINGTON MEN
6	INTERNAL REVENUE SERVICE		\$31.41			PENALTY

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IF THE TRUSTEE'S ABOVE RECOMMENDATION CONCERNING THE AMOUNT OR CLASSIFICATION OF ANY CLAIM DIFFERS FROM THE AMOUNT AND CLASSIFICATION INDICATED IN A CREDITOR'S PROOF OF CLAIM, THE RECOMMENDATION IS DEEMED AN OBJECTION TO SUCH CLAIM. UNLESS A TIMELY RESPONSE IS FILED CONTESTING THE TRUSTEE'S RECOMMENDATION, THE OBJECTION WILL BE SUSTAINED AND SUCH CLAIM WILL BE ALLOWED ONLY FOR THE AMOUNT AND IN THE CLASS INDICATED. A COPY OF ANY CLAIM MAY BE OBTAINED FROM THE TRUSTEE UPON REQUEST.

IV.

OBJECTIONS PENDING

The following claims are not deemed allowed because there are objections pending:

***** NONE *****

V.

PLAN MODIFICATION
(EXCESS BASE)

Excess Base Amount

To the extent the Base Amount exceeds the amount needed to pay all allowed Secured, Priority, and Administrative Claims, unless otherwise provided by a Debtor Modification or order of the Court, such excess shall be paid pro-rata to timely filed allowed non-penalty general unsecured claims up to 100%, then to late filed allowed non-penalty unsecured claims up to 100%, then to penalty unsecured claims up to 100%, with any remaining balance refunded to Debtors. The Unsecured Creditors' Pool will be adjusted accordingly.

VI.

PLAN IS INSUFFICIENT

The Plan is Insufficient for the following reason(s):

1. The Plan proposes a Base Amount of \$95,325.00.
2. The Trustee calculates the Base Amount should be \$114,325.00.
3. A Debtor Plan Modification is needed to provide sufficient funds to fully pay all allowed administrative, secured, and priority claims.

The Trustee may file a Motion to Dismiss unless Debtors file a Plan Modification and/or Objection to Claim(s) within 21 days.

Respectfully submitted,
Office of the Chapter 13 Trustee, Fort Worth, TX

/s/ Tim Truman

Tim Truman, Trustee
State Bar # 20258000

Dated: April 26, 2016